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REMARKS

Claims 1-19 remain in the application, all of the claims standing as rejected as anticipated by Gunnarsson (U.S. 6,216,846) under 35 USC 102(b), and as unpatentable over Gunnarsson in view of Moore (U.S. 5,482,140).

Gunnarsson was discussed in a telephone interview with the Examiner on July 24, 2006, in which applicant's undersigned attorney pointed out that in Gunnarsson the flippers were not mounted to the main article driving conveyor loops, but to a separate third conveyor angled with respect to the main conveyor loops. The Examiner stated that a further amendment making clearer the relationship between the flipper arms and the conveyor loops, and that this might render the claims allowable but no specific language was discussed. No agreement was reached.

Independent claims 1, 11 and 16 have been amended to further emphasize the mounting of the flipper arms to one or more of the conveyor loops in which the flipper arms are recited as being carried with the conveyor loop to which it is mounted and as having a fixed relative position with respect to an associated lug.

In Gunnarsson, the flippers are mounted on a third conveyor and do not move with the conveyor loops, nor do the pivot points have a fixed relative position with respect to an associated lug due to the angled relationship of the first and third conveyors such that the pivot of each flipper has a changing relative position with respect to an associated lug. Significantly, the pivoting of all flippers in Gunnarsson does not cause the one portion to be brought into engagement with the articles as now claimed in claim 1 but rather this is caused by the angled relationship of the first and third conveyors.

Also, the flipper arms are controllably set up as they are moved by the third conveyor past a guide 23. The arms are not lowered until passing a second guide 22 on the

return.

Claims 1, 11 and 16 also now recite that the flipper arms return to a normal retracted position after moving past the cam, which also does not occur in Gunnarsson as the arms remain raised until lowered by a second guide 22. This language has been added to the specification in order to provide clear antecedent basis, and is clearly shown in Figures 6E and 6F and does not constitute new matter.

Claims 1, 11 and 16 have also been amended to improve the language in other respects which should obviate the rejection of claims 11-15 under 35 USC 112.

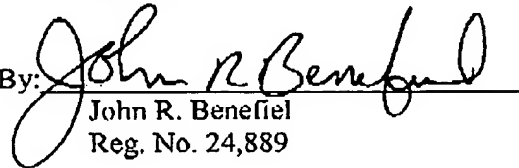
These relationships are essential to the manner of operation of Gunnarsson.

Favorable reconsideration is respectfully requested.

Respectfully submitted,

Date: July 27, 2006

By:

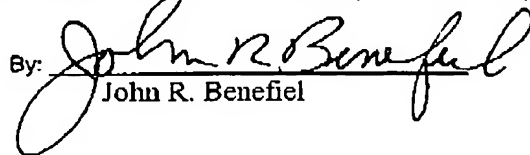

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It is hereby certified that this correspondence, along with any items referred to as being attached or enclosed, is being sent via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 27, 2006.

By:


John R. Benefiel